

IN RE: PETITION FOR ADMINISTRATIVE * BEFORE THE
ZONING VARIANCE *
S/S Circle Road, 2300 ft. +/- * ZONING COMMISSIONER
SW of c/l Ruxton Road *
1832 Circle Road * OF BALTIMORE COUNTY
9th Election District *
4th Councilmanic District * Case No. 96-220-A
Raymond A. Mason
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Raymond A. Mason for that property known as 1832 Circle Road in the Ruxton section of Baltimore County. The Petitioner herein seeks a variance from Section 400.3 of the Baltimore County Zoning Regulations (BCZR) to permit an accessory structure height of 19 ft. in lieu of the required 15 ft. for a detached garage in a D.R.1 zone. The property and relief sought are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

WHICH RECEIVED FOR FILING
Date 1/3/96
By M. H. H. H.

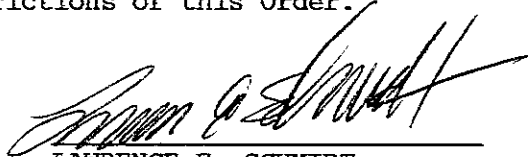
MICROFILMED

upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3rd day of January, 1996 that the Petition for a Zoning Variance from Section 400.3 of the Baltimore County Zoning Regulations (BCZR) to permit an accessory structure height of 19 ft., in lieu of the required 15 ft., for a detached garage in a D.R.1 zone, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mmm

ORDER RECEIVED FOR FILING
Date 1/3/96
By M. G. Grah

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 3, 1996

Mr. Raymond A. Mason
1832 Circle Road
Baltimore, Maryland 21204

RE: Petition for Administrative Zoning Variance
Case No. 96-220-A
Property: 1832 Circle Road

Dear Mr. Mason:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, reading "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.





Petition for Administrative Variance

96-220-A

to the Zoning Commissioner of Baltimore County

for the property located at 1832 Circle Rd. Balto. MD 21204

which is presently zoned DR-1

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.3 BCZR

To permit accessory structure height of 19 feet in lieu of the required 15 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Existing regulation restricts garage height to 15'. In order to maintain a distinctive architecture consistent with the adjacent house a 9:12 roof pitch is proposed. On a 24' garage with 8' ceiling this results in a peak of 19' ± (about one half the house height).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee

Legal Owner(s)

(Type or Print Name)

Raymond A. Mason

(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City State Zipcode

Signature

Attorney for Petitioner.

1832 Circle Rd. 410-825-2027

(Type or Print Name)

Address BALTO. MD. 21204 Phone No

Signature

City State Zipcode
Name, Address and phone number of representative to be contacted

Address Phone No

Chris Batten

Name

City State Zipcode

Taneytown, MD 410-751-0424
Address Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: R.T.

DATE: 11-28-95



Printed with Soybean Ink
on Recycled Paper

ESTIMATED POSTING DATE:

MICROFILMED 221

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1832 Circle Road
address

Baltimore
City

MD
State

21204
Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

The existing house is a two and one half story with 9:12 roof pitch.

In an effort to respect the distinctive architecture of the house a
proposed detached garage should have a similar roof pitch. The standard
24' depth of a garage results in a peak height just under 19 feet.

(Approximately one half the height of the adjacent house).

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Raymond A. Mason
(signature)

Raymond A. Mason
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of November, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

11-17-95
date

Larkin B. Broden
NOTARY PUBLIC

My Commission Expires: 7-1-98

96-220-A

Zoning Description for 1832 Circle Road

(Mason Residence)

Beginning at a point in Circle Road which is 30' wide (r/w width) at a distance of 2300 southwest of Ruxton Road which is 50' (r/w width) proceeding s 14-03-46 e 270.77' to a point, n82-07-19e 21.77' to a point, along a curve R=420.00', L=435.22', Chord =s34-21-01e 335.58' to a point, n83-21-27e 170.09' to a point, s09-40-011w 628.79' to a point, n67-25-40w 64.87' to a point, s78-58-08w 18.00' to a point, n10-49-51e 206.50' to a point, n33-36-53w 60.00' to a point, s86-23-07w 315.000' to a point, n13-23-01w 87.35' to a point, n07-30-02w 145.98' to a point, n37-02-58w 83.45' to a point, n31-10-56w 51.93' to a point, n02-37-25e 171.31' to a point, n12-17-20e 63.73' to a point, n 24-37-30w 30.71' to a point, n04-50-49w 21.96' to a point, s 8f2-11-26w 91.00' to a point, n07-54-34w 30.00' to a point, n82-11-26e 308.98' , to a point, n05-33-26e 273.50' to a point in Circle Road, n76-26-26e 31.50' to the point of beginning containing 10.6 acres more or less, as recorded in Liber 8591, Folio 125, and being located in the 9th election district and the 4th councilmanic district.

1832 Circle Road

ITEM# 221

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

176-240-74

District: 9th

Date of Posting: 12/18/95

Posted for:

Veronica

Petitioner:

Lawrence & H. Mason

Location of property:

1832 Circle Rd.

Location of Sign:

Facing road along on property being zoned

Remarks:

Posted by

[Signature]
Signature

Date of return:

12/18/95

Number of Signs:

1



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

ITEM# 221

No.

091122

96-220-A

R-001-6150

DATE 11-28-95 ACCOUNT

010 - VAR. - \$50.00

080 - SIGN - \$35.00

AMOUNT \$ 85.00

RECEIVED
FROM:

Christopher Batten

FOR:

Admin. Verience

NOTED

R.T.

03491#0453A10KRC
BA 0009:39AM 11-29-95

\$85.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbors property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 221 Petitioner: RAYMOND A. MASON

Location: 1832 CIRCLE ROAD, BALTIMORE, MD 21204

PLEASE FORWARD ADVERTISING BILL TO:

NAME: RAYMOND A. MASON

ADDRESS: 1832 CIRCLE ROAD, BALTO. MD 21204

PHONE NUMBER: 410-539-0000





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 8, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-220-A (Item 221)
1832 Circle Road
S/S Circle Road, 2300'+/- SW of c/l Ruxton Road
9th Election District - 4th Councilmanic
Legal Owner: Raymond A. Mason

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before December 10, 1995. The closing date (December 26, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Raymond A. Mason

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 18, 1995

Raymond A. Mason
1832 Circle Road
Baltimore, MD 21204

RE: Item No.: 221
Case No.: 96-220-A
Petitioner: R. A. Mason

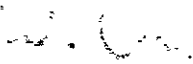
Dear Mr. Mason:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on November 28, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

ENCLOSURE



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

12-7-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 221 (RT)


Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ~~ZADM~~ - Joyce Watson

DATE: 12/12/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee

Agenda: 11/27/95 and 12/11/95
12/4/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

11/27/95

Item #'s: 205
207
209
213
214

12/11/95

220 thru 231 221
and
Rev. #195

12/4/95

215
217
218
219

LS:sp

LETTY2/DEPRM/TXTS8P

8 COPIES

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/07/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF DEC. 11, 1995.

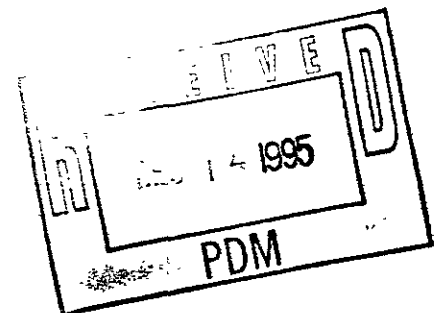
Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 220, 221, 222, 223, 225,
226, 228, 229 AND 230.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: December 15, 1995

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 221 & 231

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kimo

PK/JL

2103-NE 12-26
96-220-1

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Dec. 21, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for December 18, 1995
Items 221, 223, 225, 226, 229 and 230. 5

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:sw

PETITION PROBLEMS

#221 — RT

1. Notary section is incomplete.

#222 — JRA

1. Item number not on all papers in folder.
2. Petition form says zoning is "BM"; folder says "BM/MLR" – Which is correct?
3. Need printed name of person signing for legal owner and authorization.

#225 — JRF

1. No hardship or practical difficulty on front of petition form.
2. Folder not marked "critical area".
3. Notary section is incorrect - only one signature on back of petition form.

#227 — JCM

1. Folder not marked "critical area".

#228 — JRA

1. Item number not on all papers in folder.
2. Need authorization for person signing for legal owner.
3. Receipt not given to petitioner/attorney - still in folder.

#229 — JJS

1. Notary section is incomplete.

#230 — JJS

1. No telephone number for legal owner.
2. No location description, zoning, acreage, election or councilmanic districts on folder.

MICROFILMED

transmittal

from: J. Christopher Batten, Inc.
3907 Old Taneytown Road
Taneytown, Maryland 21787
410-751-0424

to: Baltimore County Zoning Commissioner
re: Mason Residence, New Garage
November 27, 1995

attention: Jun Fernando, Planner

1. (3) copies of affidavit forms with "Petition for Administrative Variance"
2. Photographs of existing house and site
3. (12) copies of "Plat to Accompany Petition for Zoning Variance (for 1832 Circle Road)"
4. (1) copy of "Zoning Hearing & Posting Requirements and Procedures"
5. (1) print of Official Zoning Map, NW 9-B w/ site location outlined
6. (1) print of Aerial Photograph with site location circled
7. (3) copies of Zoning Description
8. check for filing fee (\$85.00)

Mr. Fernando,

The above documents are submitted in accordance with county requirements as outlined in the "Zoning Hearing Checklist, Individual Lots, Variances, Special Hearings (revised 8/11/95). Please review and process this application as promptly as possible as we are anxious to submit our building plans for permits. Thank you for your assistance.

- c. Mr. Raymond Mason (w/ plat & zoning description)
Bob Jackson "

J. CHRISTOPHER BATTEN, INC.
3907 Old Taneytown Rd.
Taneytown, MD 21787
(410) 751-0424

Chris Batten
Landscape Architect

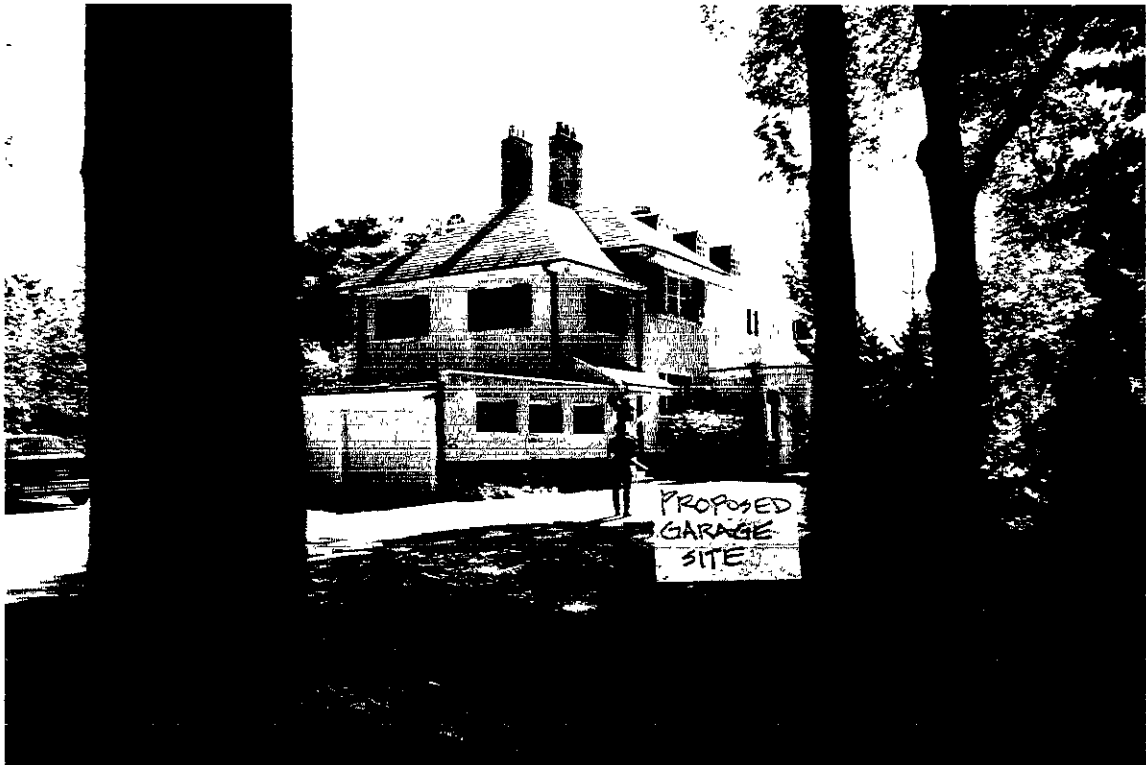
~~6 North Church Street~~
~~W. Baltimore, Maryland 21157~~
~~410-976-8888~~


J. CHRISTOPHER
BATTEN, INC.
Land Planning &
Design Consultant

ITEM# 221

MICROFILMED

ITEM# 221



East (proposed garage site to right)

10-200-17

ITEM # 221

J. CHRISTOPHER BATTEN, INC.

Landscape Architecture
3907 Old Taneytown Road
Taneytown, MD 21787

~~1832~~ 1832 CIRCLE ROAD
(MASON RESIDENCE)
ZONING VARIANCE PETITION
(ADMINISTRATIVE)

IN RE: PETITION FOR ADMINISTRATIVE
ZONING VARIANCE
S/S Circle Road, 2300 ft. +/-
SW of c/l Ruxton Road
1832 Circle Road
9th Election District
4th Councilmanic District
Raymond A. Mason
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-220-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Raymond A. Mason for that property known as 1832 Circle Road in the Ruxton section of Baltimore County. The Petitioner herein seeks a variance from Section 400.3 of the Baltimore County Zoning Regulations (BCZR) to permit an accessory structure height of 19 ft. in lieu of the required 15 ft. for a detached garage in a D.R.1 zone. The property and relief sought are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3rd day of January, 1996 that the Petition for a Zoning Variance from Section 400.3 of the Baltimore County Zoning Regulations (BCZR) to permit an accessory structure height of 19 ft., in lieu of the required 15 ft., for a detached garage in a D.R.1 zone, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order, however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mmm

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 3, 1996

Mr. Raymond A. Mason
1832 Circle Road
Baltimore, Maryland 21204

RE: Petition for Administrative Zoning Variance
Case No. 96-220-A
Property: 1832 Circle Road

Dear Mr. Mason:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1832 Circle Rd., Balto. MD 21204
which is presently zoned DR-1

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.3 BCZR

To permit accessory structure height of 19 feet in lieu of the required 15 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) Existing regulation restricts garage height to 15'. In order to maintain a distinctive architecture consistent with the adjacent house a 9:12 roof pitch is proposed. On a 24' garage with 8' ceiling this results in a peak of 19' ± (about one half the house height).

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Write on solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)
Raymond A. Mason
Signature: *Raymond A. Mason*
(Type or Print Name)
Signature: _____
(Type or Print Name)
Address: 1832 Circle Rd. 410-825-2027
City: BALTO, MD, 21204
State: MD Zipcode: _____
City, Name, Address and phone number of representative to be contacted:
Chris Batten
Name: _____
Address: Taneytown, MD 410-751-0424
City: _____ State: _____ Zipcode: _____

A Public Hearing having been requested and/or found to be required, in accordance with the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, and the subject matter of this petition is hereby posted for a public hearing, and notice is hereby posted to the Zoning Regulations of Baltimore County, in the newspaper of general circulation throughout Baltimore County, and that the property be required.

Zoning Commissioner of Baltimore County

REVIEWED BY: R.T. DATE: 11-28-95
ESTIMATED POSTING DATE: _____
ITEM #: 221

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) have competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at: 1832 Circle Road
Baltimore MD 21204

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)
The existing house is a two and one half story with 9:12 roof pitch.

In an effort to respect the distinctive architecture of the house a proposed detached garage should have a similar roof pitch. The standard 24' depth of a garage results in a peak height just under 19 feet.

(Approximately one half the height of the adjacent house).

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and make required to provide additional information.

Raymond A. Mason
Signature: *Raymond A. Mason*
Name of Affiant(s)
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 17th day of November, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

11-17-95

Larkin B. Broden
NOTARY PUBLIC

My Commission Expires: 7-1-98

Zoning Description for 1832 Circle Road (Mason Residence)

Beginning at a point in Circle Road which is 30' wide (f/w width) at a distance of 2300 southwest of Ruxton Road which is 50' (f/w width) proceeding s 14-03-48 e 270-77 to a point, n82-07-10e 21-77' to a point, along a curve R=420.00', L=435.22, Chord = s34-21-01e 335.58' to a point, n83-21-27e 170.09' to a point, s09-40-01w 628.79' to a point, n87-25-40w 64.87' to a point, s78-59-08w 18.00' to a point, n10-49-51e 208.50' to a point, n33-36-53w 80.00' to a point, s88-23-07w 315.000' to a point, n13-23-01w 87.35' to a point, n07-30-02w 145.98' to a point, n37-02-58w 83.45' to a point, n31-10-56w 51.93' to point, n02-37-25e 171.31' to a point, n12-17-20e 63.73' to a point, n24-37-30w 30.71' to a point, n06-03-49w 21.98' to a point, s 812-11-26w 91.00' to a point, n07-54-34w 30.00' to a point, n82-11-26e 308.98', to a point, n05-33-26e 273.50' to a point in Circle Road, n78-26-26e 31.50' to the point of beginning containing 10.6 acres more or less, as recorded in Liber 8561, Folio 125, and being located in the 9th election district and the 4th councilmanic district.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th Date of Posting: 12/16/95
Posted for: Variance
Petitioner: Raymond A. Mason
Location of property: 1832 Circle Rd.
Location of Sign: Every road way on property being posted
Remarks:
Posted by: Christopher Batten Signature Date of return: 12/18/95
Number of Signs: 1

ITEM # 221
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 11-28-95 ACCOUNT: R-001-6150
NO. 011122
96-220-A
OD - VAR. - \$50.00
CSD - SIGN - \$35.00
AMOUNT: \$ 85.00
RECEIVED FROM: Christopher Batten
FOR: Admin. Variance
R.T. 0369186435H1CHRC
BA C009:39X11-28-95 \$85.00
VALIDATION OR SIGNATURE OF CLERK
FIVE - IMPRINT - YELLOW - COPIES



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 221 Petitioner: RAYMOND A. MASON

Location: 1832 Circle Road, Baltimore, MD 21204

PLEASE FORWARD ADVERTISING BILL TO:

NAME: RAYMOND A. MASON

ADDRESS: 1832 Circle Road, Balto. MD 21204

PHONE NUMBER: 410-532-0000



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 8, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER 96-220-A (Item 221)
1832 Circle Road
S/S Circle Road, 21001+/- SQ of c/l Junction Road
9th Election District - 4th Councilmanic
Legal Owner: Raymond A. Mason

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refrainer regarding the administrative process.

- 1) Your property will be posted on or before December 10, 1995. The closing date (December 26, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Raymond A. Mason



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 18, 1995

Raymond A. Mason
1832 Circle Road
Baltimore, MD 21204

RE: Item No.: 221
Case No.: 96-220-A
Petitioner: R. A. Mason

Dear Mr. Mason:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on November 28, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

12-7-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 221 (RT)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2299 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM - Joyce Watson DATE: 12/12/95
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 11/27/95 and 12/11/95
12/4/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

11/27/95 12/11/95
Item #'s: 205 220 thru 231 221
207 and
209 Rev. #195
213
214
12/4/95
215
217
218
219

LS:sp

LETTY2/DEPRM/TXTSBR

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/07/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

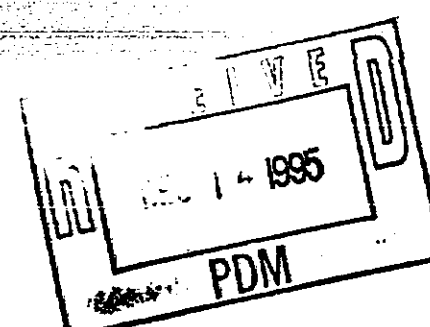
LOCATION: DISTRIBUTION MEETING OF DEC. 11, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 220, 221, 222, 223, 225, 226, 228, 229 AND 230.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: December 15, 1995

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 221 & 231

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Cline

PK/JL

ITEM 221/PDM/ZAC1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: Dec. 21, 1995

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for December 18, 1995
Items 221, 223, 225, 226, 229 and 230.

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:sw

PETITION PROBLEMS

#221 - RT

1. Notary section is incomplete.

#222 - JRA

1. Item number not on all papers in folder.
2. Petition form says zoning is "BM", folder says "BM/MLR" - Which is correct?
3. Need printed name of person signing for legal owner and authorization.

#225 - JRF

1. No hardship or practical difficulty on front of petition form.
2. Folder not marked "critical area".
3. Notary section is incorrect - only one signature on back of petition form.

#227 - JCM

1. Folder not marked "critical area".

#228 - JRA

1. Item number not on all papers in folder.
2. Need authorization for person signing for legal owner.
3. Receipt not given to petitioner/attorney - still in folder.

#229 - JJS

1. Notary section is incomplete.

#230 - JJS

1. No telephone number for legal owner.
2. No location description, zoning, acreage, election or councilmanic districts on folder.

J. CHRISTOPHER BATTEN, INC.
3907 Old Taneytown Rd.
Taneytown, MD 21787
(410) 751-0424

Chris Batten
Landscape Architect

J. CHRISTOPHER
BATTEN, INC.
Land Planning &
Design Consultant

ITEM # 221
transmittal

from: J. Christopher Batten, Inc.
3907 Old Taneytown Road
Taneytown, Maryland 21787
410-751-0424

to: Baltimore County Zoning Commissioner
re: Mason Residence, New Garage
November 27, 1995

attention: Jun Fernando, Planner

1. (3) copies of affidavit forms with "Petition for Administrative Variance"
2. Photographs of existing house and site
3. (12) copies of "Plat to Accompany Petition for Zoning Variance (for 1832 Circle Road)"
4. (1) copy of "Zoning Hearing & Posting Requirements and Procedures"
5. (1) print of Official Zoning Map, NW 9-B w/ site location outlined
6. (1) print of Aerial Photograph with site location circled
7. (3) copies of Zoning Description
8. check for filing fee (\$85.00)

Mr. Fernando,
The above documents are submitted in accordance with county requirements as outlined in the "Zoning Hearing Checklist, Individual Lots, Variances, Special Hearings (revised 8/1/95)". Please review and process this application as promptly as possible as we are anxious to submit our building plans for permits. Thank you for your assistance.

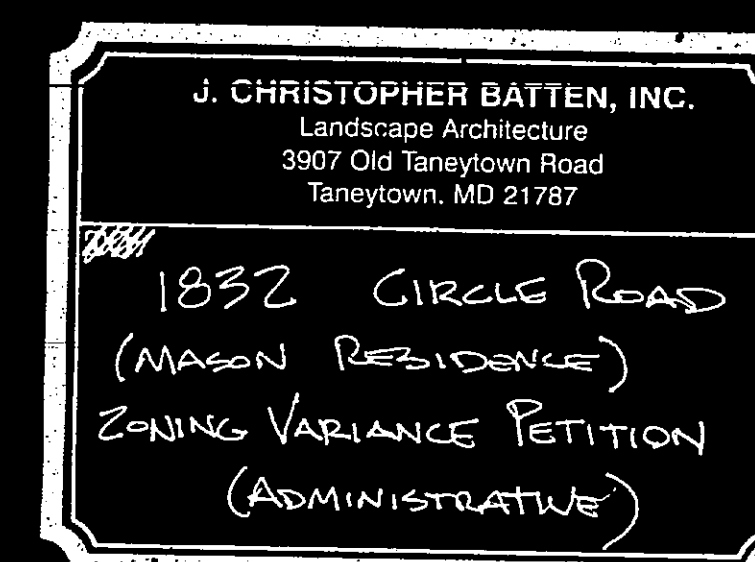
c. Mr. Raymond Mason (w/ plat & zoning description)
Bob Jackson

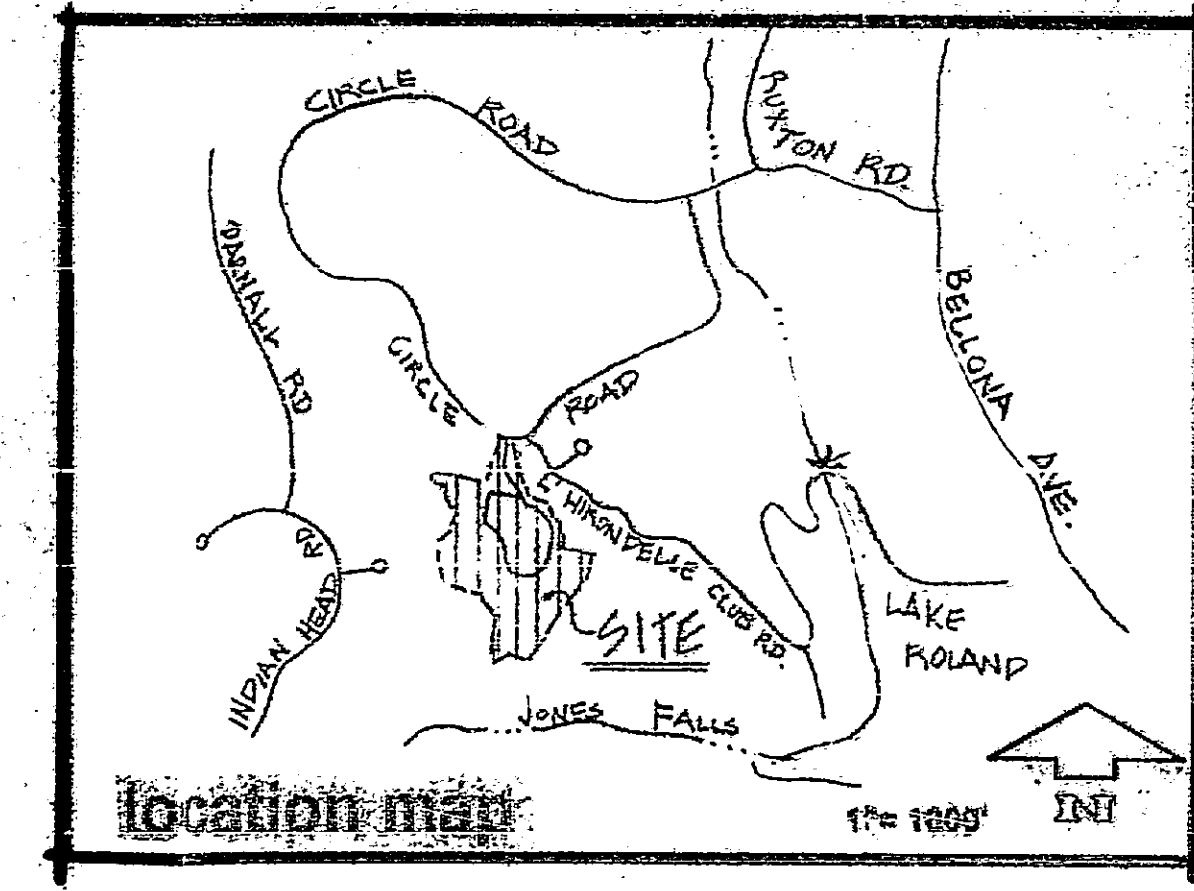
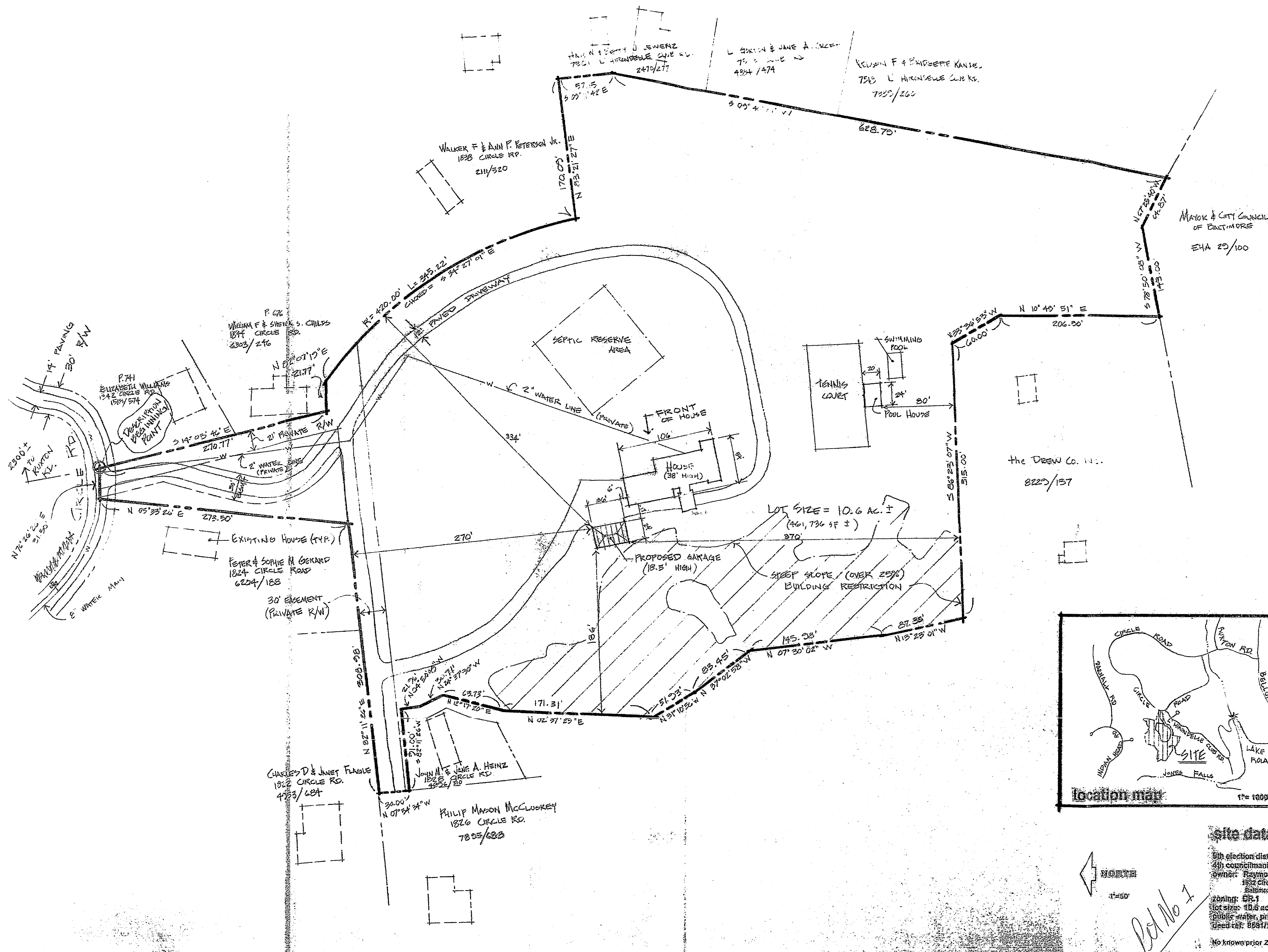
ITEM # 221



EXIST. (PROPOSED GARAGE SITE TO RIGHT)

ITEM # 221





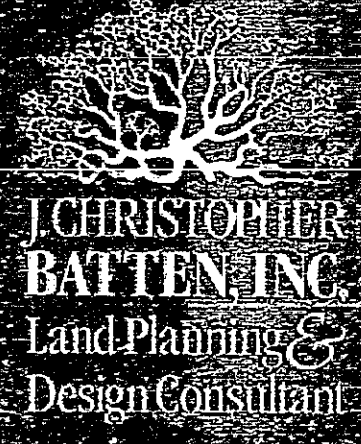
site data
 5th election district
 4th commission district
 owner: Raymond A. Mason
 1832 Circle Road
 Baltimore, MD 21204
 zoning: SR-1
 lot size: 10.6 acres
 public water, private sewer
 need ref: 855/1228
 No known prior Zoning Hearings
 No floodplains on site
 ITEM# 221

Plat to Accompany Petition for Zoning Variance
 (for 1832 CIRCLE ROAD)

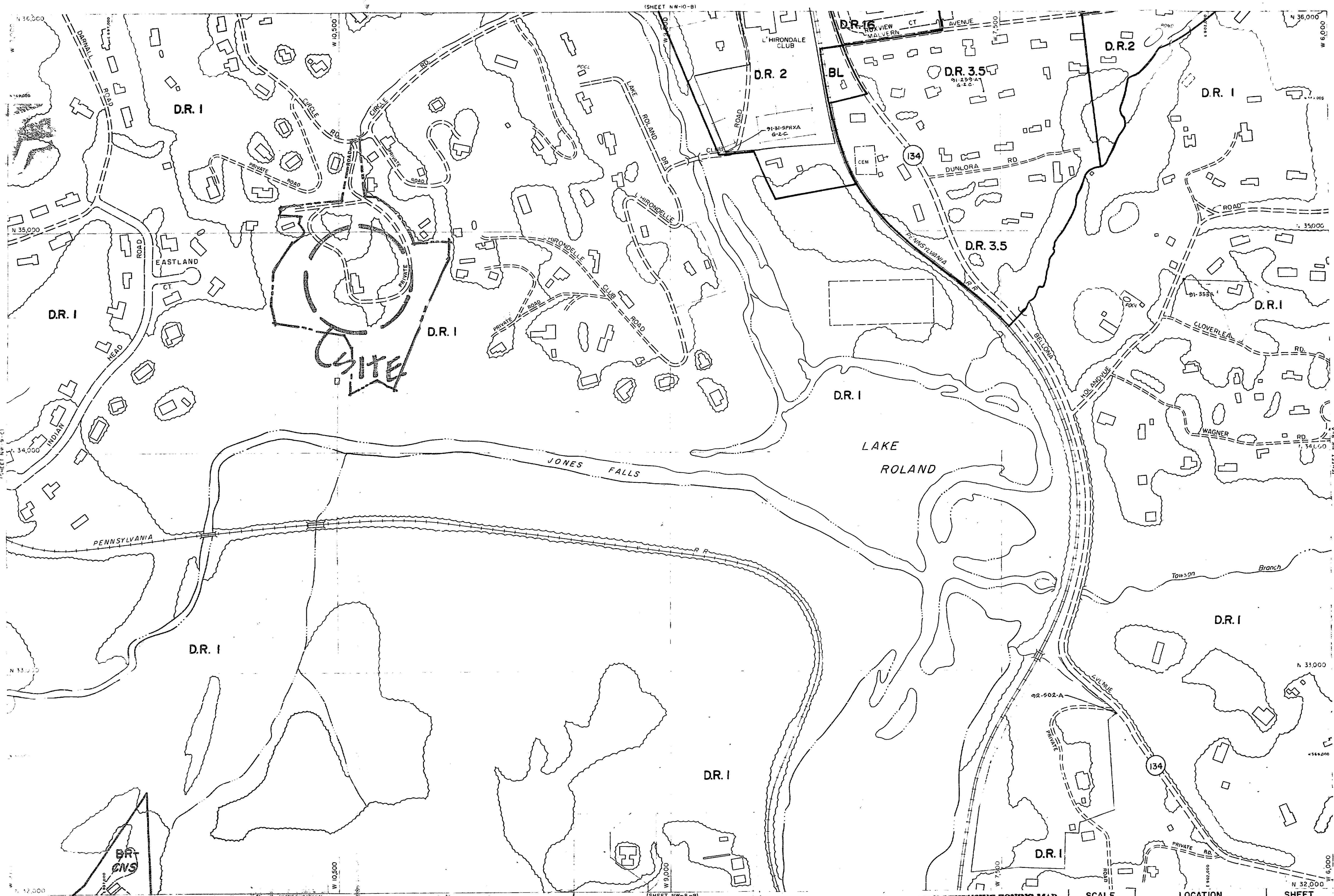
DETACHED GARAGE

MASON RESIDENCE

96-220-A



CHRISTOPHER BATTEN INC.
Land Planning & Design Consultant
1011 Old Annapolis Rd.
Towson, MD 21204
(410) 751-0424
NOVEMBER 11, 1988



0-NE

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

SCALE

1" = 200' ±

LOCATION

LAKE ROLAND
ROXTON

SHEET

N.W.

98

ITEM 221

DATE

OF

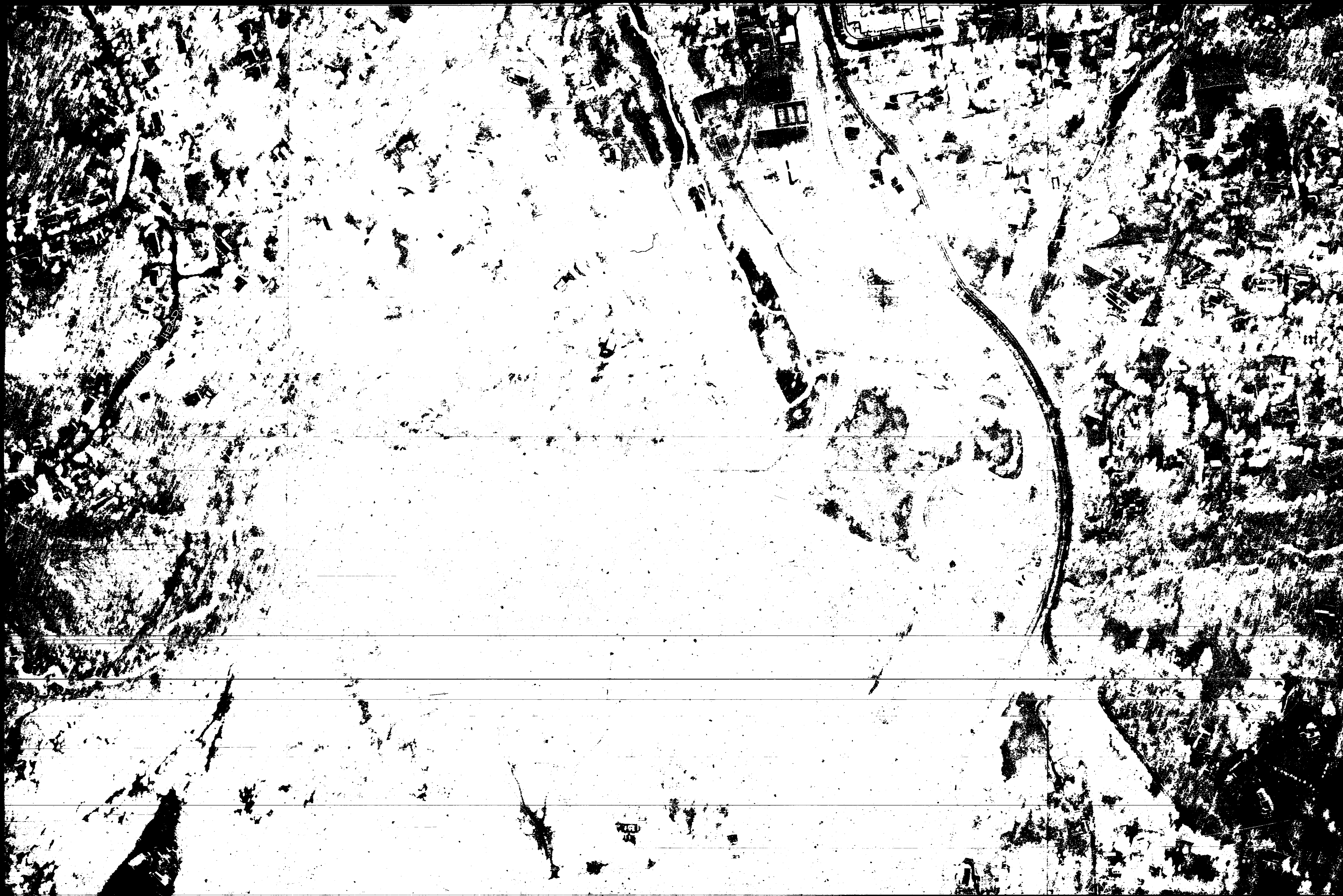
GRAPHIC

DATE

William J. Hester
Baltimore County Council

11/27/95

96-220-F



96-220-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

RAYMOND A. MASON RESIDENCE
1832 CIRCLE ROAD
BALTO. MD

SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY

LOCATION
LAKE ROLAND
RUSTON

SHEET
ITEM # 221
NW
D-5

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401